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COMPANIES FORM No. 466(Scot)

## Particulars of an instrument of alteration to a floating charge created by a company registered in Scotland

# 466

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Pursuant to section 410 and 466 of the Companies Act 1985

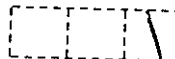
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To the Registrar of Companies  
(Address overleaf - Note 5)

For official use

Company number

Name of company



163960

\* insert full name  
of company

\* Cloverleaf Hotels Limited

Date of creation of the charge (note 1)

9th May 1996

Description of the instrument creating or evidencing the charge or of any ancillary document which has  
been altered (note 1)

Floating Charge

Names of the persons entitled to the charge

Scottish & Newcastle plc

Short particulars of all the property charged

the whole property and undertaking of the company including uncalled  
capital.

Presentor's name address and  
reference (if any):

Macdonalds,  
Solicitors,  
1 Claremont Terr.,  
Glasgow, G3 7UQ  
REF: SC.SJ  
TEL: 0141 303 7128

For official use  
Charges Section



Names, and addresses of the persons who have executed the instrument of alteration (note 2)

1. Cloverleaf Hotels Limited, The Cloverleaf Hotel, Kippleshills Road, Bucksburn, Aberdeen.
2. Scottish & Newcastle plc, Abbey Brewery, Holyrood Road, Edinburgh.
3. The Royal Bank of Scotland plc, 36 St. Andrew Square, Edinburgh.

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Date(s) of execution of the instrument of alteration

1. 1st April, 1998
2. 6th April, 1998
3. 8th April, 1998

A statement of the provisions, if any, imposed by the instrument of alteration prohibiting or restricting the creation by the company of any fixed security or any other floating charge having, priority over, or ranking pari passu with the floating charge

N/A

Short particulars of any property released from the floating charge

N/A

The amount, if any, by which the amount secured by the floating charge has been increased

N/A

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The Instrument of Alteration submitted herewith regulates the ranking of the following charges:-

1. Standard Security by Cloverleaf Hotels Limited in favour of Royal Bank of Scotland plc over subjects known as Cloverleaf Hotel, Bucksburn, Aberdeen ("the Bank's Standard Security").
2. Standard Security by Cloverleaf Hotels Limited in favour of Scottish & Newcastle plc over the said subjects ("the S&N Standard Security").

(Both Standard Securities above mentioned are now registered in the Land Register under Title Number ABN 628 on 17th May, 1996)

3. Floating Charge by Cloverleaf Hotels Limited in favour of Royal Bank of Scotland plc dated 9th May 1996 ("the Bank's Floating Charge").
4. Floating Charge by Cloverleaf Hotels Limited in favour of Scottish & Newcastle plc dated 9th May 1996 ("the S&N Floating Charge").

The above Instrument provides that the ranking of the said securities shall be as follows:-

First: The Bank's Standard Security to the extent of £375,000 of principal with one year's interest and expenses thereon.

Second: The S&N Standard Security to the extent of £138,500 of principal with one year's interest and expenses thereon.

Third: The Bank's Standard Security to the extent of £25,000 of principal with one year's interest and expenses thereon.

Fourth: The Bank's Standard Security and the S&N Standard Security pari passu to the effect that 70% of any remaining proceeds after the above mentioned rankings shall be payable to the Royal Bank of Scotland plc and 30% to Scottish & Newcastle plc.

Fifth: The Bank's Floating Charge but so that the sums recoverable thereunder shall not together with the sums recoverable under Para. First above exceed £375,000 of principal with one year's interest thereon and expenses.

Sixth: The S&N Floating Charge but so that the sums recoverable thereunder shall not together with the sums recoverable under Para. Second above exceed £138,500 of principal with one year's interest thereon and expenses.

Seventh: The Bank's Floating Charge but so that the sums recoverable thereunder shall not together with the sums recoverable under the Bank's Standard Security exceed the sum of £25,000 of principal with one year's interest thereon and expenses.

Lastly: The Bank's Floating Charge and the S&N Floating Charge pari passu to the effect that all remaining proceeds shall be payable 70% to the Royal Bank of Scotland plc and 30% to Scottish & Newcastle plc respectively after all payments in respect of Paragraphs First to Seventh above.

Continuation of the statement of the provisions, if any, imposed by the instrument of alteration varying or otherwise regulating the order of the ranking of the floating charge in relation to fixed securities or to other floating charges

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Signed Madden Date 21.4.98

On behalf of ~~[company]~~ [chargee]†

† delete as  
appropriate

#### Notes

1. A description of the instrument e.g. "Instrument of Charge" "Debenture" etc as the case may be, should be given. For the date of creation of a charge see section 410(5) of the Companies Act.

2. In accordance with section 466(1) the instrument of alteration should be executed by the company, the holder of the charge and the holder of any other charge (including a fixed security) which would be adversely affected by the alteration.

3. A certified copy of the instrument of alteration, together with this form with the prescribed particulars correctly completed must be delivered to the Registrar of Companies within 21 days after the date of execution of that instrument.

4. A certified copy must be signed by or on behalf of the person giving the certification and where this is a body corporate it must be signed by an officer of that body.

5. The address of the Registrar of Companies is:-  
Companies Registration Office, 37 Castle Terrace, Edinburgh EH1 2EB



**CERTIFICATE OF THE REGISTRATION OF  
AN ALTERATION TO A FLOATING CHARGE**

Company number 163960

I hereby certify that particulars of an instrument of alteration dated  
8 APRIL 1998

was delivered pursuant to section 410 of the Companies Act, 1985,  
on 24 APRIL 1998.

The instrument relates to a charge created on 9 MAY 1996

by CLOVERLEAF HOTELS LIMITED

in favour of SCOTTISH & NEWCASTLE PLC

for securing ALL SUMS DUE, OR TO BECOME DUE

Signed at Edinburgh  
27 APRIL 1998

R. Graham  
For Registrar of Companies



C O M P A N I E S   H O U S E